

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Tanya Marie Gonzalez

YOB: 1982

Principal

United States

Case Number:

M-17-1450-M

Cynthia Yvette Gonzalez

YOB: 1973

Co-Principal

United States

United States District Court
Southern District of Texas
FILED

AUG 15 2017

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 14, 2017 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Ivan Bermundez-Martinez and Ricardo Rivera-Benitez, a citizens and nationals of Mexico, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Roma, Texas to the point of arrest in Roma, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 14, 2017, a Roma Police Department Officer requested assistance from Border Patrol Agents on a bail out near the intersection of Rau-Con Street and Mendez Avenue in Roma, Texas.

A Border Patrol Agent responded to the area and made contact with the officer. The officer informed the agent that as he was driving South, near the intersection of Grant Street and Matamoros Avenue, he observed a tan in color Chevrolet Silverado traveling east at a high rate of speed.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Appended

Sworn to before me and subscribed in my presence,

August 15, 2017

Date

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Complainant

Salvador Mendez Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17-1450 -M

**RE: Tanya Marie Gonzalez
Cynthia Yvette Gonzalez**

CONTINUATION:

This area is actively used as an alien smuggling pick up location and is less than .15 miles away from the Rio Grande River. The area between the river and the pickup location has dense vegetation that allows undocumented aliens to conceal themselves from law enforcement until they are picked up.

The officer stated he sped up in attempt to make contact with the Silverado. Moments later, the officer stated he observed the Silverado traveling North on Rau-Con Street. As the officer turned North on Rau-Con Street, he observed the Silverado come to a stop near the intersection of Harrison Street and Rau-Con Street in Roma, Texas. At that moment, the officer observed several subjects run out of the Silverado truck and into a nearby property. The officer stated he then activated his emergency equipment to conduct a traffic stop and the Silverado came to a stop. The officer stated he approached the vehicle and observed a female driver and a female passenger sitting on the front seat. As the officer conducted a brief interview, he believed a smuggling attempt might be taking place and contacted Border Patrol. The responding Border Patrol Agent proceeded to conduct an immigration inspection of both occupants. The driver was identified as Tanya Marie Gonzalez and the front passenger was identified as Cynthia Yvette Gonzalez, both United States citizens.

Prior to the agent's arrival, Roma Police Officers had conducted a search near the area of the bailout and apprehended three subjects. The agent conducted an immigration inspection on all three subjects and all three subjects were determined to be illegally present in the United States.

All subjects were placed under arrest and were transported to the Border Patrol Station for processing.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17-1150-M

**RE: Tanya Marie Gonzalez
Cynthia Yvette Gonzalez**

CONTINUATION:

PRINCIPAL 1

Tanya Marie GONZALEZ was read her Miranda Rights and agreed to provide a statement without an attorney present.

Tanya Marie GONZALEZ stated an unknown individual called her cousin, Cynthia Yvette GONZALEZ on the phone to pick up Cynthia Yvette Gonzalez's nephew. They picked up Cynthia Yvette GONZALEZ's nephew, along with two other individuals in Roma, Texas. Tanya Marie Gonzalez stated Cynthia Yvette GONZALEZ opened the door and told them to get in. Tanya Marie GONZALEZ stated she asked them where she was going to take them and they told her to a house. Tanya Marie GONZALEZ stated the individuals sat on the back seat and she was going to transport them to the nephew's friend's house. Tanya Marie Gonzalez stated she was not going to get paid and was just doing a favor.

PRINCIPAL 2

Cynthia Yvette GONZALEZ was read her Miranda Rights and agreed to provide a statement without an attorney present.

Cynthia Yvette GONZALEZ stated she was the passenger in her truck and her cousin, Tanya Marie Gonzalez, was driving. Cynthia Yvette GONZALEZ stated that Tanya Marie Gonzalez needed to borrow her truck, and she accompanied her because she didn't trust her in her truck. Once at the pickup location, Cynthia Yvette Gonzalez stated that Tanya Marie GONZALEZ yelled the name "papi" and three subjects came out running towards the truck. The subjects opened the door, got in and Tanya Marie GONZALEZ told them to get down and we drove away. Cynthia Yvette Gonzalez stated later a police unit activated it's lights and Tanya Marie GONZALEZ stopped. Cynthia Yvette GONZALEZ further stated that Tanya Marie GONZALEZ told her she was going to get paid an unknown dollar amount for picking up three individuals.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-17-1250 -M

**RE: Tanya Marie Gonzalez
Cynthia Yvette Gonzalez**

CONTINUATION:

MATERIAL WITNESS

Ivan BERMUNDEZ-Martinez, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

BERMUNDEZ stated he made his smuggling arrangements and was to pay \$1,300 Mexican Pesos to be smuggled into the United States. BERMUNDEZ stated he crossed the Rio Grande River into the United States by raft. Once in the United States, BERMUNDEZ stated a foot guide instructed them to go hide in a house and to look for a silver pickup truck driving slowly. BERMUNDEZ stated he knew what truck to get into because it was driving slowly. BERMUNDEZ stated once he got in the truck, the driver started to drive really fast and overheard the passenger tell the driver to slow down.

BERMUNDEZ was shown a photo lineup and was able to identify Tanya Marie Gonzalez as the driver of the vehicle.

BERMUNDEZ was shown a photo lineup and was able to identify Cynthia Yvette Gonzalez as the front seat passenger of the vehicle.

MATERIAL WITNESS

Ricardo RIVERA-Benitez, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

RIVERA claimed he did not pay anything to get smuggled into the United States. RIVERA stated he crossed the Rio Grande River into the United States by raft with two other individuals and a guide. RIVERA stated the guide instructed him to hide in the brush and that a truck would stop and open the doors for them to enter the cab of the truck. RIVERA stated that once the truck pulled up, they ran towards the truck and he was the first person to jump in the back of the cab in between the seats. RIVERA stated the driver told them to hide between the seats. RIVERA stated the truck drove away at a high rate of speed. Moments later, Rivera saw police lights and the driver told them to hide between the seats. RIVERA stated he was between the back seats and the front seat on the floor laying down with the two people on top of him. RIVERA stated the driver stopped the truck and told them to get out and hide.